

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION

VALLEY CHILDREN'S HOSPITAL, a
California nonprofit public benefit corporation,

Plaintiff,

vs.

FEDERAL INSURANCE COMPANY, an
Indiana corporation,

Defendant.

Case No.: 1:21-cv-01567-DAD-EPG

ORDER RELIEVING PLAINTIFF FROM
DEEMED ADMISSIONS AND FROM A
WAIVER OF OBJECTIONS TO
INTERROGATORIES

(ECF No. [29])

Whereas, on July 1, 2022, the parties participated in an Informal Discovery Dispute Conference before the Honorable Magistrate Judge Erica P. Grosjean, regarding the desire of plaintiff Valley Children's Hospital to file a motion for an order (1) withdrawing the deemed admissions to Requests for Admission Nos. 10, 11 and 13 to 20 pursuant to Rule 36(b) of the Federal Rules of Civil Procedure; and (2) relieving it from a waiver of objections to Interrogatory No. 5 pursuant to Rule 33(b)(4) of the Federal Rules of Civil Procedure, which discovery was served by defendant Federal Insurance Company on April 7, 2022;

Whereas, counsel for defendant Federal Insurance Company represented to the court that it would not be opposing the motion, and as such, it was agreed by the parties that plaintiff

1 Valley Children's Hospital would file its motion but that it would not be necessary for it to be set
2 for hearing; and

3 Whereas plaintiff Valley Children's Hospital filed its motion for relief on July 3, 2022,

4 IT IS HEREBY ORDERED that, good cause being found to exist, the motion (ECF No.
5 29) is granted and the Clerk of Court is directed to term as no longer pending the parties'
6 informal discovery dispute letter briefs (ECF No. 27, 28). IT IS FURTHER ordered that, to the
7 extent plaintiff Valley Children's Hospital desires to serve supplemental responses to discovery
8 in light of this order, it shall do so within five court days of the entry of this order.

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10 IT IS SO ORDERED.

11 Dated: July 5, 2022

12 /s/ Eric P. Grogan
13 UNITED STATES MAGISTRATE JUDGE
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